

SENSITIVE

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SITUATION: HAK TRIP
SUBJECT CATEGORY: TOHAK II

MESSAGE / ANNOTATION:

ANNOTATIONS:
MCFARLANE, SECFILEMESSAGE:
IMMEDIATE
O 121958Z JUN 74
FM THE SITUATION ROOM//TOHAK56//TO EAGLEBURGER/RODMAN FOR THE SECRETARY - CAIRO
INFO: LES JANKA

UNCLAS WH41832

TOHAK56

UPI094
(TAPS)

WASHINGTON (UPI)-- TWO FORMER MEMBERS OF THE NATIONAL SECURITY COUNCIL STAFF FILED SUIT WEDNESDAY AGAINST PRESIDENT NIXON, SECRETARY OF STATE HENRY KISSINGER AND THE TELEPHONE COMPANY, SAYING THEIR PHONES WERE UNCONSTITUTIONALLY TAPPED.

THE U.S. DISTRICT COURT SUITS WERE FILED BY RICHARD MOOSE, THE COUNCIL'S STAFF SECRETARY FROM JAN. 20 TO SEPT. 20, 1969, AND WILLIAM LAKE, SPECIAL ASSISTANT TO KISSINGER AND A SPECIAL PROJECTS STAFF MEMBER FROM JUNE 1, 1969, TO JUNE 14, 1970.

A SIMILAR SUIT WAS FILED A YEAR AGO BY MORTON HALPERIN, FORMER COUNCIL'S STAFF MEMBER, ONE YEAR AGO.

THE SUITS ASKED FOR JUDGMENTS OF \$100 A DAY, APPARENTLY DURING THE TIME THE TAPS WERE ON THE PHONES; \$1 FROM EACH OF THE DEFENDANTS' PERSONAL FUNDS; AND FOR THE COURT TO DETERMINE OTHER DAMAGES AS "MAY APPEAR JUST AND PROPER."

LAKE SAID HIS PHONE WAS TAPPED FOR NINE MONTHS BEGINNING IN MAY, 1970, MOOSE SAID HIS TAP BEGAN IN MAY, 1969, AND LASTED TWO MONTHS. THEY SAID THE TAPS WERE MADE IN VIOLATION OF THREE SECTIONS OF THE BILL OF RIGHTS.

THE SUITS CHARGED THAT THE EAVESDROPPING WAS PART OF A "SPECIAL PROGRAM OF WIRE TAPS" WHICH WAS EXPRESSLY PROCURED

***** WHSR COMMENTS *****

SECFILE

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AND DIRECTED IN ITS ENTIRETY BY THE DEFENDANT NIXON AFTER
DISCUSSIONS* WITH THE OTHER DEFENDANTS.

OTHER DEFENDANTS INCLUDED: ALEXANDER HAIG, THEN KISSINGER'S
DEPUTY AND NOW WHITE HOUSE CHIEF OF STAFF; FORMER WHITE HOUSE
CHIEF OF STAFF H.R. HALDEMAN; FORMER ATTORNEY GENERAL JOHN
MITCHELL AND FORMER FBI OFFICIAL WILLIAM SULLIVAN;

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